

**TIDEWATER REGIONAL
LOCAL HUMAN RIGHTS COMMITTEE
August 7, 2012 – 8:30 a.m.
MINUTES**

Members Present

Amy Jennings, LHRC Member
Jacqueline Blackett, LHRC Member
Janet Martin, LHRC Member

Other Present

Carla Moore, Executive Assistant, Kempsville Center for Behavioral Health
Dana Gillentine, Risk Manager – Kempsville Center for Behavioral Health
Fran Neaves, Director of Performance Improvement – First Home Care
Jacqueline Abbott, Director of Risk Management and Performance Improvement – Harbor Point BHC
Jaime Fernandez, Director of Nursing – Kempsville Center for Behavioral Health
Jennifer James, Director of Nursing – Harbor Point Behavioral Health Center
Kathryn Gwaltney, Day Treatment Supervisor – First Home Care
Kenya Ratliff, Day Treatment Supervisor – First Home Care
Lisa Duez, VA Mental Health Director – First Home Care
Lisa Sedjat – First Home Care
Marie Henrich, Office Manager – Harbor Point Behavioral Health Center
Matt Ours, Chief Executive Officer – Kempsville Center for Behavioral Health
Paula Harr, Director of Quality Management Services – First Home Care
Reginald Daye, Regional Advocate – DBHDS
Timothy Jones, Human Rights Advocate – DBHDS

I. CALL TO ORDER

The Local Human Rights Committee meeting was called to order at 10:20 a.m. by Janet Martin upon her arrival.

II. REVIEW OF MINUTES

The minutes from the meeting held on May 1, 2012 were approved and accepted. Ms. Martin made a motion to approve the May 1, 2012 minutes. Ms. Jennings seconded the motion and all members present voted to accept.

III. PUBLIC COMMENTS

There was no one from the general public who wished to speak.

IV. UNFINISHED BUSINESS

There was no unfinished business to report.

V. NEW BUSINESS

A. Policy Review (Kempsville) – Time Out Policy – Ms. Gillentine presented the Time Out policy to the committee indicating that she added definitions from the regulations. This was the only addition. Ms. Martin recommended changing the term “mental retardation” to “intellectual disability”.

Motion: Ms. Martin made a motion to approve the Time Out policy with the recommended changes.

Action: Ms. Jennings seconded the motion. The LHRC voted to approve the motion.

B. Variance Request (Resident Mail, Telephone Usage, Strip Searches, Vending Machines and Unit Restriction) – Kempsville Center for Behavioral Health - Mr. Ours presented the variance on resident mail. He asked that residents be required to open mail, packages, etc. in the presence of staff to ensure contraband does not enter the facility. Mr. Ours specified that mail would not be read by staff members. Mr. Ours presented the variance on telephone usage. He asked that the committee approve the restriction of certain telephone calls by residents under special circumstances. A doctor's order would be required before residents' calls could be restricted. Mr. Ours presented the variance on vending machines. He asked that the use of vending machines by residents be discontinued. These machines are for staff members and will be removed from common areas where residents are present or are escorted. Residents will continue to receive their daily snacks as issued by cafeteria staff. Mr. Ours presented the variance on unit restriction. Mr. Ours stated residents would be restricted to the unit only if safety issues were present and a physician's order would be required prior to the restriction. Mr. Daye expressed concern regarding the unit restriction because there is currently no policy in force. Mr. Daye indicated the State Human Rights Committee would be required to review a policy regarding unit restriction and it would need to be approved prior to this committee voting to approve the variance. As a result, a subcommittee was scheduled for August 20, 2012 at 8:00 a.m. in order for Mr. Ours to present a draft policy for this committee to review. Mr. Ours presented the variance on strip searches. Mr. Daye recommended that a list of residents who are strip searched be sent to him so that he can monitor the findings. This would be for a short term period.

Motion: Ms. Martin made a motion to approve all variances presented to this committee.

Action: Ms. Jennings seconded the motion. The LHRC voted to approve the motion.

C. Program Rules of Conduct and Bill of Rights (Kempsville Center for Behavioral Health) – Mr. Ours presented the revised program rules for the Kempsville Center.

Motion: Ms. Jennings made a motion to approve the Program Rules of Conduct and Bill of Rights.

Action: Ms. Martin seconded the motion. The LHRC voted to approve the motion.

D. Child & Adolescent Bill of Rights (Kempsville Center for Behavioral Health) – Mr. Ours presented the revised C&A Bill of Rights.

Motion: Ms. Martin made a motion to approve the Program Rules of Conduct and Bill of Rights.

Action: Ms. Jennings seconded the motion. The LHRC voted to approve the motion.

E. Acute Program Handbook (Kempsville Center for Behavioral Health) – Mr. Ours presented the revised Acute Program Handbook. Mr. Daye indicated that the point store and resident telephone times would require a variance to the regulations.

Motion: Ms. Blackett made a motion to approve the Program Rules of Conduct and Bill of Rights.

Action: Ms. Martin seconded the motion. The LHRC voted to approve the motion.

F. Bill of Rights (Acute Program) – Mr. Ours presented the revised Acute Program Bill of Rights.

Motion: Ms. Jennings made a motion to approve the Program Rules of Conduct and Bill of Rights.

Action: Ms. Martin seconded the motion. The LHRC voted to approve the motion.

G. IM Medication Policy – Mr. Daye sent a copy of this policy to Margaret Walsh and the Office of Licensing for further review and information. Mr. Daye reported that Ms. Walsh would like more information specific to chemical restraint. Mr. Daye expressed concern regarding parents/guardians not receiving prior approval. He also questioned who goes over possible side effects of the IM medication with the patient. Mr. Ours stated all possible side effects are communicated with the patient prior to administration of the IM medication. Mr. Daye informed Mr. Ours that this must be clearly stated in the current IM policy. Clarification is also needed regarding medications that are used to treat psychosis vs. behavior modification as these could be misconstrued as a chemical restraint. Mr. Daye asked that the current information on chemical restraint be removed from the resident handbook. Ms. Martin asked if details regarding IM medication are indicated in all admission paperwork. Mr. Ours confirmed that it is indeed indicated; it is listed on the first page of the admission paperwork. The committee deferred voting to the subcommittee scheduled for Monday, August 20, 2012.

VI. STANDING REPORTS

A. General Information – There was no information to report.

B. Quarterly/Annual Reports – Harbor Point Behavioral Health Center, Kempsville Center for Behavioral Health, First Home Care and Virginia Beach Psychiatric Center.

OVERVIEW OF ALLEGATIONS

Location	April	May	June
FHC-Oyster Point Academy	6	4	2
FHC-Day Support	1	0	1
FHC-John Tyler	0	0	0
FHC-Brighton Elementary	0	0	4

FHC-Summer Day Tx	0	0	4
Harbor Point BHC	21	26	27
Kempsville CBH	67	57	43
VBPC	3	0	1

Seclusion and Restraint Reports (S=Seclusion, MR=Mechanical, PR=Physical, CR=Chemical)

Location	April	May	June
FHC-Oyster Point Academy	24	19	14
Harbor Point BHC	74PR, zero seclusion	63PR, zero seclusion	84PR, zero seclusion
Kempsville CBH	97PR, zero seclusion	162PR, zero seclusion	117PR, 6 seclusion
VBPC	0	0	0

ALLEGATION REPORTS – CLOSED SESSION

Motion: Ms. Martin made a motion that the committee go into Executive Session, pursuant to Virginia code 2-2-3711A (4) for the protection of the privacy of individuals in personal matters not related to public business, namely to review patient information from First Home Care, Harbor Point Behavioral Health Center, Kempsville Center for Behavioral Health and Virginia Beach Psychiatric Center, pursuant to the regulations.

Action: Second was made by Ms. Jennings. All members voted in favor of the motion.

Reconvene in Open Session: Upon reconvening in Open Session, Ms. Martin, Ms. Jennings and Ms. Blackett of the Tidewater Regional LHRC certified to the best of their knowledge that only public matters exempt from statutory open meeting requirements and only public business matters identified in the motion to convene the Executive Session, as referenced above, were discussed in accordance to Virginia Code 2-2-3711A (4).

VII. NEXT SCHEDULED MEETING

The next regular LHRC meeting is scheduled for Tuesday, November 6, 2012 in the upstairs conference room of Harbor Point Behavioral Health Center.

VIII. ADJOURNMENT

There being no further business to discuss, Ms. Martin made the motion to adjourn. Ms. Jennings seconded the motion. The meeting was adjourned at 11:55 a.m.

RESPECTFULLY SUBMITTED:

Marie Henrich, Office Manager
Recording Secretary

Delinda Patterson-Swanston, LHRC Vice Chairperson